



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/679,439 | 10/07/2003 | Elias Jonsson | 040072-239 | 3673 |

21839 7590 04/04/2007
BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

| |
|----------|
| EXAMINER |
|----------|

VO, NGUYEN THANH

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2618

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 04/04/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/679,439

Applicant(s)

JONSSON ET AL.

Examiner

Nguyen Vo

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-26 and 43-52 is/are allowed.
- 6) ☒ Claim(s) 1-5, 27-31 and 53 is/are rejected.
- 7) ☒ Claim(s) 6-16 and 32-42 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-5, 27-31, 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art of figure 1 admitted by applicant on page 5 line 5 to page 7 line 16 (hereinafter simply referred to as the admitted prior art) in view of Ottosson (WO 00/55992, submitted by applicant).

As to claims 1, 27, 53, the admitted prior art discloses a method of identifying a time slot boundary of an unknown cell in a telecommunications system, the method comprising correlating a received signal with a known code over a range of delay values for each of one or more time slots, wherein the known code is used by all cells in the

Art Unit: 2618

telecommunications system (see the present specification, page 5 lines 22-27; see also figure 1); for each of the delay values accumulating correlation values obtained at each of the one or more time slots (see the present specification, page 6 lines 7-9); and identifying the time slot boundary by determining which of the delay values is associated with a highest accumulated correlation value (see the present specification, page 6 lines 7-9). The admitted prior art fails to disclose accumulating correlation values obtained at each of the one or more time slots only for each of the delay values that are not associated with a known cell, as recited in the claim. Ottosson discloses accumulating correlation values obtained at each of the one or more time slots only for each of the delay values that are not associated with a known cell (see page 7 lines 2-6, lines 14-21; page 8 lines 12-27; page 9 lines 17-26; page 14 lines 8-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the above teaching of Ottosson to the admitted prior art, in order to speed a cell search process (as suggested by Ottosson on page 7 lines 14-18).

As to claims 2-3, 28-29, the admitted prior art discloses the claimed limitations (see the present specification, page 5 lines 15-21)

As to claims 4, 30, the combination of the admitted prior art and Ottosson discloses the claimed limitations (see Ottosson, page 7 lines 2-6, lines 14-21; page 8 lines 12-27; page 9 lines 17-26; page 14 lines 8-22).

As to claims 5, 31, the combination of the admitted prior art and Ottosson discloses the claimed limitations (see Ottosson, page 8 lines 6-11; page 9 lines 17-26; page 14 lines 8-22).

Allowable Subject Matter

4. Claims 6-16, 32-42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 6, 32, the prior art of record fail to disclose or render obvious a non-filtering that does not utilize information about the size of multipath powers as specified in the claim.

As to claims 7-16, 33-42, the prior art of record fail to disclose or render obvious details of filtering the one or more stored monitored delay sets using delay information obtained over the period of time as specified in claims 7 and 33.

5. Claims 17-26, 43-52, 54 are allowed.

As to claims 17-26, 43-52, 54, the prior art of record fail to disclose or render obvious details of filtering a monitored delay set in a telecommunications system as specified in claims 17, 43 and 54.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ottosson (US 6,480,558 B1); Tanno (US 7,012,909 B2) and Lim (US 2003/0202541 A1) disclose cell search methods and apparatus for wireless communications.

Art Unit: 2618

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen Vo whose telephone number is (571) 272-7901.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nguyen Vo
Primary Examiner
Art Unit 2618



3-29-2007